

3B  
3-12-02

## **CITY COUNCIL OF ALEXANDRIA, VIRGINIA**

**Regular Meeting  
Tuesday, February 26, 2002 - - 7:30 p.m.**

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Present: Mayor Kerry J. Donley, Vice Mayor William C. Cleveland, Members of Council Claire M. Eberwein, William D. Euille, Redella S. Pepper, David G. Speck, and Joyce Woodson.

Absent: None.

Also Present: Mr. Sunderland, City Manager; Mr. Pessoa, City Attorney; Ms. Evans, Assistant City Manager; Mr. Jinks, Assistant City Manager; Public Information Officer Gordon; Mr. Baier, Director of Transportation and Environmental Services; Ms. Whitmore, Director of Recreation, Parks and Cultural Activities; Mr. Howard, Director of Personnel Services; Legislative Director Caton; Health Director Konigsberg; Mr. Neckel, Director of Finance; Mr. Swearingen, Director of Management and Budget; Ms. Davis, Director of Housing; Mr. Eiffert, Deputy Director of Housing; Ms. O'Regan, Director of Human Services; Ms. Owens, Office of Citizen Assistance; Ms. Riggs, Division Chief, Personnel Services; and Lieutenant Uzzell, Police Department.

Recorded by: Mrs. Beverly I. Jett, City Clerk and Clerk of Council.

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There was a work session at 6:00 p.m. in the Council Workroom on the Woodrow Wilson Bridge noise mitigation issues .

Councilman Euille provided opening remarks. City Manager Sunderland explained the purpose of the work session. Transportation and Environmental Services Director Baier provided an overview of the following noise abatement issues: traffic noise predictions; noise abatement strategies; proposed noise mitigation; need for noise barrier on bridge; alternatives to noise barrier; and construction noise.

There was discussion amongst the Members of City Council, Members of the Woodrow Wilson Bridge Task Force, and Transportation and Environmental Services Director Baier.

Staff was requested to send a letter inviting Secretary of Transportation Clement for a briefing with the Woodrow Wilson Bridge project staff. Members of the Woodrow Wilson Bridge Task Force should be invited to participate in that briefing as well. More noise receptors will be placed in the affected areas. There was interest for the use of rubberized material to reduce noise.

The work session was adjourned at approximately 7:20 p.m.

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(Material pertaining to the above work session is on file in the office of the City Clerk and Clerk of Council and is incorporated herewith as part of the record.)

At 7:21 p.m., the Annual Meeting of the Alexandria Transit Company Stockholders was held in the Council Workroom and was concluded at approximately 7:30 p.m.

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(Material pertaining to this meeting is on file in the office of the City Clerk and Clerk of Council and is incorporated herewith as part of the record.)

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## OPENING

The Meeting was called to Order by Mayor Donley, and the City Clerk called the Roll; all Members of Council were present with Vice Mayor Cleveland arriving at 8:05 p.m.

The Invocation was pronounced by Reverend John Poffenberger, Chaplain, Good News Jail Ministry.

**New Business Item No. 1:** Councilman Speck requested a moment of silence for Assistant City Manager Godwin who has recently taken ill.

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3. **THERE BEING NO DISCUSSION**, upon motion by Councilman Euille, seconded by Councilwoman Pepper and carried on a vote of 6-to-0, City Council approved the Minutes for (a) the Regular Meeting of February 12, 2002, as submitted. The voting was as follows:

Euille	"aye"	Cleveland	not yet arrived
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Speck	"aye"
		Woodson	"aye"

4. **THERE BEING NO DISCUSSION**, upon motion by Councilman Euille, seconded by Councilwoman Pepper and carried on a vote of 6-to-0, City Council received the Report of the City Clerk dated February 19, 2002, which is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 2/26/02, and is incorporated herewith as part of this record by reference. The voting was as follows:

Euille	"aye"	Cleveland	not yet arrived
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Speck	"aye"
		Woodson	"aye"

**RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL**

5. Recognition of Alexandria Red Cross - Summer Youth Program Volunteers.

City Council commended the teenagers and preteens who participate in the summer YOUTH GIVE program. The Alexandria Red Cross Youth Program's "Bags of Cheer" program was one of only nine projects nationwide that was selected by Connect America/Join Hands Day award. Connect America is an initiative of the Points of Light Foundation.

Councilwoman Pepper also congratulated Benjamin Yale Cohen for achieving a gold medal in the novice category in the U.S. Figure Skating Championships in Los Angeles. Benjamin is a student at T.C. Williams High School.

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**OPENING (continued)**

6. Presentation of Proclamation Proclaiming March as American Red Cross Month in the City of Alexandria.

(A copy of the proclamation is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 2/26/02, and is incorporated herewith as part of this record by reference.)

Councilwoman Eberwein presented the proclamation.

**WHEREUPON**, upon motion by Councilwoman Eberwein, seconded by Councilwoman Pepper and carried on a vote of 6-to-0, City Council endorsed the proclamation. The voting was as follows:

Eberwein	"aye"	Cleveland	not yet arrived
Pepper	"aye"	Euille	"aye"
Donley	"aye"	Speck	"aye"
		Woodson	"aye"

Vice Mayor Cleveland arrived at 8:05 p.m.

7. Presentation of Proclamation Proclaiming March 2, 2002, as St. Patrick's Day Parade Day in the City of Alexandria.

(A copy of the above proclamation is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 2/26/02, and is incorporated herewith as part of this record by reference.)

Mayor Donley and Councilman Speck presented the proclamation.

**WHEREUPON**, upon motion by Councilman Speck, seconded by Councilman Euille and carried unanimously, City Council endorsed the proclamation. The voting was as follows:

Speck	"aye"	Cleveland	"aye"
Euille	"aye"	Eberwein	"aye"
Donley	"aye"	Pepper	"aye"
		Woodson	"aye"

8. Presentation of Proclamation Proclaiming March 1, 2002, as Diversity Night at T.C. Williams High School.

(A copy of the proclamation is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 2/26/02, and is incorporated herewith as part of this record by reference.)

Councilwoman Pepper presented the proclamation.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Euille and carried unanimously, City Council endorsed the proclamation. The voting was as follows:

Pepper	"aye"	Cleveland	"aye"
Euille	"aye"	Eberwein	"aye"
Donley	"aye"	Speck	"aye"
	Woodson	"aye"	

## **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER**

### **CONSENT CALENDAR (9-15)**

**Without objection**, City Council withdrew docket item nos. 12 and 14 and considered them under separate motions.

9. Receipt of the Following Resignations From Members of Boards, Commissions and Committees:

- (a) Alexandria Community Services Board  
Mondre' Kornegay
- (b) Alexandria Public Health Advisory Commission  
John Kling
- (c) Alexandria Waterfront Committee  
Robert Taylor
- (d) Alexandria Youth Policy Commission  
Dan Goldhaber

(A copy of each of the above resignations is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item Nos. 9(a-d); 2/26/02, and is incorporated herewith as part of this record by reference.)

10. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria Landlord-Tenant Relations Board  
1 Homeowner

(Material pertaining to the above appointment is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 10(a); 2/26/02, and is incorporated herewith as part of this record by reference.)

11. Receipt of the Monthly Financial Report for the Period Ending January 31, 2001.

(A copy of the City Manager's memorandum dated February 20, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 2/26/02, and is incorporated herewith as part of this record by reference.)

13. Consideration of Proposed Plan for Spending the Remaining Portion of Funds Set Aside in Contingent Reserves in the FY 2002 Budget for Park Maintenance Operations.

(A copy of the City Manager's memorandum dated February 14, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 2/26/02, and is incorporated herewith as part of this record by reference.)

15. Consideration of Renewal of Grant Application for Funding to Continue the Domestic Violence Intervention Program.

(A copy of the City Manager's memorandum dated February 15, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 2/26/02, and is incorporated herewith as part of this record by reference.)

#### **END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilman Euille, seconded by Councilman Speck and carried unanimously, City Council approved the consent calendar as presented with the exception of docket item nos. 12 and 14 which were considered under separate motions. The City Manager's recommendations are as follows:

9. City Council received the following resignations with regret: (a) Mondre' Kornegay from the Alexandria Community Services Board; (b) John Kling from the Alexandria Public Health Advisory Commission; (c) Robert Taylor from the Alexandria Waterfront Committee; and (d) Dan Goldhaber from the Alexandria Youth Policy Commission; and requested the Executive Secretary for Boards and Commissions to send the appropriate letters of appreciation and to advertise the vacancies in the usual manner.

10. City Council reappointed Fletcher Johnston as a Homeowner to the Alexandria Landlord-Tenant Relations Board.

11. City Council received the Monthly Financial Report for the period ending January 31, 2002.

13. City Council: (1) approved the proposed spending plan as follows:

Tree Maintenance - \$15,000 for seasonal staff (1,400 labor hours)  
West Side Parks - \$15,000 for seasonal staff (1,400 labor hours)  
East Side Parks - \$15,000 for seasonal staff (1,400 labor hours)  
Operating Supplies and Materials - \$23,189

and (2) approved the transfer of the remaining \$68,189 of \$250,000 set aside in the FY 2002 contingent reserves account for park maintenance to the Department of Recreation, Parks, and Cultural Activities.

15. City Council: (1) approved the grant application to the U.S. Department of Justice for a total of \$91,113, which requires no local matching funds; and (2) authorized the City Manager to execute all necessary documents. It was noted that there are no additional monies available in the City's budget to continue these activities once the grant funds are expended.

#### **END OF CONSENT CALENDAR**

The voting was as follows:

Euille	"aye"	Cleveland	"aye"
Speck	"aye"	Eberwein	"aye"
Donley	"aye"	Pepper	"aye"
	Woodson	"aye"	

12. Authorization of Recommended Capital Project Allocations and Planned Expenditures.

(A copy of the City Manager's memorandum dated February 15, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 2/26/02, and is incorporated herewith as part of this record by reference.)

Councilwoman Eberwein noted for the record and thanked the City Manager for recommending that \$400,000 be moved to George Washington Middle School for replacement of the windows. She stated the School Board decided that they would use its funds for educational purposes only. This will be a good thing for the Del Ray community, and it will make a building that really has some wonderful architectural elements to shine.

**WHEREUPON**, upon motion by Councilwoman Eberwein, seconded by Councilwoman Pepper and carried unanimously, City Council: (1) authorized the capital project allocations and planned expenditures for the capital projects as detailed in the Capital Improvement Expenditure Summary; and (2) approved the allocation of \$400,000 previously budgeted as a City General Fund School Enrollment Contingent in FY 2002 to the Capital Projects Fund in order to fund the planned window replacement element of the George Washington Middle School renovation and expansion program. The voting was as follows:

Eberwein	"aye"	Cleveland	"aye"
Pepper	"aye"	Euille	"aye"
Donley	"aye"	Speck	"aye"
	Woodson	"aye"	

14. Receipt of the FY 2001 Annual Report of the Economic Opportunities Commission.

(A copy of the City Manager's memorandum dated February 15, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 2/26/02, and is incorporated herewith as part of this record by reference.)

Councilman Speck raised the issue of the length of time that vacancies for some of the designated slots have been vacant.

Members of Council and Chairman Lomax participated in a dialogue regarding the composition of the membership of the Commission as well as its mission.

City Council requested the members of the Economic Opportunities Commission to take a look at the composition of the Commission's membership and to provide Council with its recommendation regarding any modifications that the Commission would like to make.

**WHEREUPON**, upon motion by Councilman Speck, seconded by Councilwoman Pepper and carried unanimously, City Council received the Annual Report, which covers the activities of the Economic Opportunities Commission from July 1, 2000 to June 30, 2001, and thanked the Commission for its work on behalf of low-income residents of the City. The voting was as follows:

Speck	"aye"	Cleveland	"aye"
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Euille	"aye"
	Woodson	"aye"	

#### **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER (continued)**

16. Consideration of Update Report on Items Before the 2002 General Assembly Session.

(A copy of the City Manager's memorandum dated February 25, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 2/26/02, and is incorporated herewith as part of this record by reference.)

Legislative Director Caton provided Council with an overview of the legislative update, and responded to questions posed to him by Members of Council.

**WHEREUPON**, upon motion by Councilman Euille, seconded by Councilwoman Pepper and carried unanimously, City Council: (1) opposed the funding cuts to public schools, constitutional officers, HB 599, and Virginia Justice Community Criminal Control Act (VJCCCA); and (2) seeks to have the General Assembly restore full funding for the Arlandria Clinic, the Healthy Families Program and Project Discovery. The voting was as follows:

Euille	"aye"	Cleveland	"aye"
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Speck	"aye"
	Woodson	"aye"	

17. Consideration of Endorsement by City Council of the Metropolitan Washington Council of Governments (COG) Resolution #R41-01 Concerning Regional Housing Issues.

(A copy of the City Manager's memorandum dated February 14, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 2/26/02, and is incorporated herewith as part of this record by reference.)

Mayor Donley provided an overview of the docket item.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Woodson and carried unanimously, City Council endorsed in its entirety COG Resolution #R41-01, a *Resolution Endorsing Affordable Housing Principles and Policy Goals and Establishment of a Regional Housing Trust Fund*, requested staff to communicate to the Council of Governments' Board of Directors the action that Council has taken relative to their goals Council has endorsed, asked that other jurisdictions in the region take similar action as it is important that the member jurisdictions represented on the COG Board know of the Alexandria action, and therefore, requested that the appropriate correspondence be drafted outlining the fact that Council has endorsed those goals. The voting was as follows:

Pepper	"aye"	Cleveland	"aye"
Woodson	"aye"	Eberwein	"aye"
Donley	"aye"	Euille	"aye"
	Speck	"aye"	

18. Consideration of a Planning Process for the Development of a Teen Center.

(A copy of the City Manager's memorandum dated February 20, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 2/26/02, and is incorporated herewith as part of this record by reference.)

Members of City Council participated in a discussion on this item. Director of Recreation, Parks and Cultural Activities Whitmore responded to questions directed to her by Members of City Council.

Mayor Donley designated Councilwoman Woodson to be Council's representative to the ad hoc planning group.

**WHEREUPON**, upon motion by Councilwoman Woodson, seconded by Vice Mayor Cleveland and carried unanimously, City Council: (1) requested that the City Manager designate staff and up to four youth volunteers and up to three adults recruited from the community, together with a member of City Council designated by the Mayor [Joyce Woodson], to form an ad hoc planning group to proceed with a feasibility study for a teen center which would be operated and primarily financed by a non-City entity. The group would determine the possible program elements, evaluate alternative operational models, evaluate possible locations, develop estimated capital and operating costs, and identify funding sources for such a center and private entities that may wish to operate the center, in partnership with the City; (2) approved the transfer of \$50,000 designated in the FY 2002 contingent reserves account to a non-departmental teen center study account for the costs associated with the planning process, with any unexpended planning monies to be carried over as a possible one-time funding source for a portion of the teen center start-up costs; and (3) requested that staff report back to Council with **an interim report by June 2002, and with the caveat, that any other discussions regarding operation or funding would require further actions of the Council.** The voting was as follows:

Woodson	"aye"	Eberwein	"aye"
Cleveland	"aye"	Euille	"aye"
Donley	"aye"	Pepper	"aye"
	Speck	"aye"	



19. Consideration of Proposed Revisions to City Employee Retirement Plans as Required by Section 401 (a) of the Internal Revenue Code: **[ROLL-CALL VOTE]**

- A. Pension Plan for Firefighters and Police Officers
- B. Retirement Income Plan for Firefighters and Police Officers
- C. Retirement Income Plan for Deputy Sheriffs and Emergency Rescue Technicians
- D. Supplemental Retirement Plan

(A copy of the City Manager's memorandum dated February 22, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 2/26/02, and is incorporated herewith as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Euille, seconded by Vice Mayor Cleveland and carried on a unanimous ROLL-CALL vote, City Council adopted the resolution which: (1) amends and restates the City of Alexandria Pension Plan for Firefighters and Police Officers, the City of Alexandria Retirement Income Plan for Firefighters and Police Officers, the City of Alexandria Retirement Income Plan for Deputy Sheriffs and Emergency Rescue Technicians and the City of Alexandria Supplemental Retirement Plan in order to make changes required to maintain the qualification of the Plans under the Internal Revenue Code; (2) authorized the City Manager to file a request for a favorable determination letter with the Internal Revenue Service; and (3) authorized the City Manager to make such changes to these four City pension plans and to take such other steps as are necessary or desirable for the Plans to meet the requirements for qualification under Section 401 (a) of the Internal Revenue Code. The voting was as follows:

Euille	"aye"	Eberwein	"aye"
Cleveland	"aye"	Pepper	"aye"
Donley	"aye"	Speck	"aye"
		Woodson	"aye"

The resolution reads as follows:

#### **RESOLUTION NO. 2017**

**WHEREAS**, the City of Alexandria maintains the City of Alexandria Pension Plan for Firefighters and Police Officers, the City of Alexandria Retirement Income Plan for Firefighters and Police Officers, the City of Alexandria Retirement Income Plan for Deputy Sheriffs and Emergency Rescue Technicians and the City of Alexandria Supplemental Retirement Plan (collectively, the "Retirement Plans"); and

**WHEREAS**, the Retirement Plans are intended to meet the requirements for qualification under Section 401(a) of the Internal Revenue Code of 1986, as amended; and

**WHEREAS**, the City of Alexandria desires to adopt amended and restated plan documents for the Retirement Plans in order to incorporate those changes necessary for the Retirement Plans to retain their qualification under Section 401(a) of the Internal Revenue Code of 1986, as amended; and

**WHEREAS**, a copy of the restated plan documents for the Retirement Plans is attached to this Resolution;

**NOW, THEREFORE, BE IT RESOLVED THAT** the Alexandria City Council, does hereby recognize, adopt and approve the amended and restated plan documents for the City of Alexandria Pension Plan for Firefighters and Police Officers, the City of Alexandria Retirement Income Plan for Firefighters and Police Officers, the City of Alexandria Retirement Income Plan for Deputy Sheriffs and Emergency Rescue Technicians and the City of Alexandria Supplemental Retirement Plan, copies of which are attached to this Resolution.

**BE IT FURTHER RESOLVED** that the City Manager is hereby authorized and directed to make on behalf of the City of Alexandria any other changes to the Retirement Plans as are requested by the Internal Revenue Service, or, based on advice of counsel, as are necessary or desirable for the Retirement Plans to continue qualification under Section 401(a) of the Internal Revenue Code of 1986, as amended; and

**BE IT FURTHER RESOLVED** that the City Manager is hereby authorized and directed to execute such other forms, notices, instruments or other documents and to take such further action as may be necessary or desirable (1) to fully implement the Retirement Plans, (2) to ensure that the Retirement Plans are qualified under Section 401(a) of the Internal Revenue Code and (3) to obtain from the Internal Revenue Service a determination letter to the effect that the retirement plans continue to meet the requirements for qualification under Section 401(a) of the Internal Revenue Code; and

**BE IT FURTHER RESOLVED** that this Resolution shall be effective immediately.

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(A copy of **Resolution No. 2017**, together with the **restated plan documents** for the Retirement Plans, is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 2 of Item No. 19; 2/26/02, and is incorporated herewith as part of this record by reference.)

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES**

**None**

## **REPORTS BY MEMBERS OF CITY COUNCIL**

(a) Mayor Donley announced that there will be a public information meeting of the Alexandria Eisenhower Avenue-to-Duke Street Connector Task Force on February 27, 2002, from 5:00 p.m. to 8:00 p.m., at the Samuel Tucker Elementary School, 435 Ferdinand Day Drive.

(b) Mayor Donley reported that the Alexandria Redevelopment and Housing Authority will hold a public Planning and Design Workshop for the Samuel Madden Homes (Downtown) redevelopment on Saturday, March 2, 2002, from 9:00 a.m. to 5:00 p.m., at the Radisson Hotel Old Town, 901 North Fairfax Street. If necessary, it will be continued to Sunday, March 3. There will be a follow-up meeting on Saturday, March 9, 2002, from 9:00 a.m. to 5:00 p.m., at the Radisson Hotel Old Town, 901 North Fairfax Street. Mayor Donley encouraged interested persons to attend and participate in the process.

(c) Mayor Donley conveyed that there will be a meeting to discuss the preliminary results of the feasibility study for multi-modal transportation options in the Crystal City/Potomac Yard corridor. This meeting will take place on Tuesday, March 19, at 7:00 p.m., at the Mount Vernon Elementary School, 2601 Commonwealth Avenue, Alexandria.

(d) Councilwoman Pepper reported that there is a new Council of Governments committee called the Ad Hoc Airport Policy Committee. She indicated that there may be a restructuring of the current committee known as CONANDA (Committee on Noise Abatement at Reagan National and Dulles Airports) which focuses on airport noise. The new Committee will be focusing on the broader perspectives pertaining to environmental, economic and transportation access to the three area airports which includes BWI.

(e) Councilwoman Woodson reported on the recent activities of the Library Board. She noted that the Burke Branch Library will be reopening for business on March 4. The official open house will take place on April 20.

(f) Councilwoman Eberwein stated that she is Council's representative on the Waterfront Committee and was absent from the meeting at which Windmill Hill Park was discussed. She has requested a verbatim transcript of the comments and will share them with the Members of Council.

#### **ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL**

(a) Councilwoman Eberwein requested that the City Manager provide Council with an analysis of the Split-Tax System.

(b) As reported by Mayor Donley under Council reports, Councilwoman Pepper also spoke to the public information meeting of the Alexandria Eisenhower Avenue-to-Duke Street Connector Task Force on February 27, 2002, from 5:00 p.m. to 8:00 p.m., at the Samuel Tucker Elementary School, 435 Ferdinand Day Drive.

(c) Councilwoman Pepper announced that there will be a "Sledge Hammer Party" at 9:00 a.m. on Saturday, March 9. This event will involve City officials and representatives of the neighborhood in the first steps of the demolition of the building before the contractors begin their work at 401 East Braddock Road.

(d) Councilwoman Pepper spoke to the number of e-mails that Council has been receiving regarding traffic problems along Morgan Street.

Transportation and Environmental Services Director Baier reported that staff will be meeting with residents of the neighborhood to discuss what their desires are for this street and will try to come up with a solution to the traffic issues. He will report back to Council at a later date.

(e) Councilwoman Woodson announced that Alexandria Technology Achievement Awards Week is March 18 through March 22, 2002.

(f) Councilwoman Woodson conveyed to the Members of Council that having office hours every Wednesday morning from 8 a.m. to 9 a.m. has proven to be a success. Constituents do come to the office at City Hall to meet with her. She again noted that no appointment is necessary, and persons can call her as well. It truly is working well.

(g) Councilwoman Woodson reported that she has selected Brooke Keith as an intern for this quarter. Brooke is a senior at T.C. Williams High School and in the STEP program. Anyone interested in an internship should contact Ms. Woodson by calling 703-838-4500.

(h) Councilman Euille thanked everyone for their cards, flowers, acts of kindness and sympathy during the recent loss of his mother. All of the support was comforting for the family.

(i) Councilman Euille suggested that due to the recent increase in real estate assessments, and, if it is at all possible, that Council might want to consider reducing the real estate tax rate.

(j) Mayor Donley requested a report on the recent burglaries taking place at restaurants.

Police Lieutenant Uzzell spoke to this issue and will report back to Council with specifics.

## **ORDINANCES AND RESOLUTIONS**

20. Introduction and First Reading. Consideration. Passage on First and Second Readings of an Ordinance to adopt Supplement No. 64 to the City Code. **[ROLL-CALL VOTE]**

The City Clerk read the docket item.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Euille and carried on a unanimous ROLL-CALL vote, City Council introduced and finally passed the Ordinance on its First and Second readings. The voting was as follows:

Pepper	"aye"	Cleveland	"aye"
Euille	"aye"	Eberwein	"aye"
Donley	"aye"	Speck	"aye"
	Woodson	"aye"	

The ordinance finally passed reads as follows:

### **ORDINANCE NO. 4241**

AN ORDINANCE adopting supplemental pages for The Code of the City of Alexandria, Virginia, 1981, as amended, and providing for the repeal of ordinances not included therein, except those saved from repeal by this ordinance, and for other purposes.

#### **THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:**

Section 1. That the sections and portions thereof set forth in the supplemental and replacement pages for The Code of the City of Alexandria, Virginia, 1981, each of which pages is identified in the lower left-hand corner by the notation "Supp. No. 64," are hereby adopted as and shall constitute "The Sixty-Fourth Supplement to The Code of the City of Alexandria, Virginia, 1981."

Section 2. That the sections and portions thereof set forth in "The Sixty-Fourth Supplement to The Code of the City of Alexandria, Virginia, 1981" shall be in force and effect on and after the effective date of this ordinance, and all ordinances of a general and permanent nature which were adopted between September 26, 2001 and December 15, 2001, inclusive, and which are not included in such supplement or in The Code of the City of Alexandria, Virginia, 1981, as amended, are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any ordinance adopted after September 26, 2001, which amends the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended; nor shall it affect any ordinance saved from repeal by Ordinance No. 1250; nor shall it affect any ordinance listed in appendices A through J, both inclusive, of The Code of the City of Alexandria, Virginia, 1981, or any pages supplemental to such appendices; nor shall it affect any provision of any ordinance adopted between September 26, 2001 and December 15, 2001, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Sixty-Fourth Supplement to The Code of the City of Alexandria, Virginia, 1981," or any other supplement to the code; nor shall it affect any ordinance adopted after the effective date of this ordinance.

Section 4. That one complete set of pages comprising "The Sixty-Fourth Supplement to The Code of the City of Alexandria, Virginia, 1981," shall be stapled or otherwise permanently fastened together, shall be manually signed on the front sheet by the mayor and the city clerk, and shall be filed in the office of the city clerk and made available to any person desiring to inspect the same. In addition, one complete set of the supplemental and replacement pages of such supplement shall be properly inserted into the copy of The Code of the City of Alexandria, Virginia, 1981, which bears the manual signatures of the mayor and the city clerk, and such code, as amended and supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.

Section 5. This ordinance shall become effective upon the date and at the time of its final passage.

KERRY J. DONLEY  
Mayor

Introduction:	February 26, 2002
First Reading:	February 26, 2002
Second Reading:	February 26, 2002
Final Passage:	February 26, 2002

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21. Consideration of a Grant Application and Resolution to the Virginia Department of Rail and Public Transportation for FY 2003 Funding for the Continuation of the Alexandria Rideshare Program. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated February 14, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 2/26/02, and is incorporated herewith as part of this record by reference.

A copy of the grant application is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 21; 2/26/02, and is incorporated herewith as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Cleveland and carried on a unanimous ROLL-CALL vote, City Council adopted the resolution and authorized the City Manager to: (1) submit a grant application and the resolution to the Virginia Department of Rail and Public Transportation for FY 2003 funding, in the amount of \$176,167, for the continuation of the City's ridesharing service, ALEXANDRIA RIDESHARE; (2) approve the continuation of two full-time grant-funded positions (Transit Specialist I and Transit Services Assistant I) to administer the ongoing ALEXANDRIA RIDESHARE program. Continuation of these positions is contingent upon continuation of funding from the Virginia Department of Rail and Public Transportation or other non-City sources; and (3) execute all necessary documents that may be required under this program. The voting was as follows:

Pepper	"aye"	Eberwein	"aye"
Cleveland	"aye"	Euille	"aye"
Donley	"aye"	Speck	"aye"
		Woodson	"aye"

The resolution reads as follows:

#### **RESOLUTION NO. 2018**

**BE IT RESOLVED** by the City Council that the City Manager is authorized, for and on behalf of the City of Alexandria, hereafter referred to as the PUBLIC BODY, to execute and file an application to the Department of Rail and Public Transportation, Commonwealth of Virginia, hereafter referred to as the DEPARTMENT, for a grant of financial assistance in the amount of \$176,167 to defray the costs borne by the PUBLIC BODY for continuation of the ALEXANDRIA RIDESHARE program and to accept from the DEPARTMENT grants in such amounts as may be awarded, and to authorize the City Manager to furnish to the DEPARTMENT such documents and other information as may be required for processing the grant request.

The City Council certifies that the funds shall be used in accordance with the requirements of Section 58.1-638.A.4 of the Code of Virginia, that the PUBLIC BODY will provide funds in the amount of \$36,087, which will be used to match the state funds in the ratio as required in such Act, that the records of receipts of expenditures of funds granted the PUBLIC BODY may be subject to audit by the DEPARTMENT and by the State Auditor of Public Accounts, and that funds granted to the PUBLIC BODY for defraying the expenses of the PUBLIC BODY shall be used only for such purposes as authorized in the Code of Virginia. The undersigned duly qualified and acting as City Clerk of the PUBLIC BODY certifies that the foregoing is a true and correct copy of a Resolution, adopted at a legally convened meeting of the City Council held on the 26th day of February 2002.

/s/ Kerry J. Donley, Mayor

/s/ Beverly I. Jett, City Clerk

\* \* \* \* \*

22. Consideration of Resolution in Support of the Belle Haven Marina.  
**[ROLL-CALL VOTE]**

(A copy of the City Manager's deferral memorandum dated February 21, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 2/26/02, and is incorporated herewith as part of this record by reference.)

**Without Objection**, City Council noted the deferral of this item to the Tuesday, March 12, 2002 legislative meeting.

23. Consideration of Recommendations for Funding and Programmatic Changes Relating to the Final Report of the Affordable Housing Task Force and Adoption of Resolution to Amend the Rent Relief Program for Senior Citizens and Disabled Persons. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated February 20, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 2/26/02, and is incorporated herewith as part of this record by reference.)

City Council participated in a discussion on this item and posed questions to Director of Housing Davis.

Director of Housing Davis suggested amendments to the resolution; a copy of which is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 23; 2/26/02, and is incorporated herewith as part of this record by reference.

**WHEREUPON**, upon motion by Councilman Euille, seconded by Councilwoman Pepper and carried on a unanimous ROLL-CALL vote, City Council: (1) allocated \$400,000 from the Housing Trust Fund and \$300,000 in General Fund monies, as part of a \$1 million set-aside in FY 2002, for the development of rental and sales affordable housing projects (including feasibility studies, pre-development costs, and infrastructure subsidies), with the understanding that a recommendation for an additional \$300,000 in federal HOME monies and matching funds will be docketed for public hearing and Council consideration on March 16, after the 30-day public comment period for a HOME program amendment is satisfied; (2) allocated \$50,000 in Housing Trust Fund monies (in addition to the monies in Recommendation 1) for a Seller Incentive Fund to pay \$1,000, on behalf of homebuyers assisted under the City's Homeownership Assistance Program (HAP) and Moderate Income Homeownership Program (MIHP), toward the seller's real estate commission, to serve as an incentive to sellers to accept contracts from HAP and MIHP purchasers during periods of hot housing markets, as determined by the City Manager in consultation with the Director of Real Estate Assessments. This recommendation is designed to address the current housing market and would be implemented immediately; (3) increased the City's maximum homeownership assistance payment under the federal Community Development Block Grant (CDBG) and HOME-funded HAP program, from \$25,000 to \$35,000 per household; (4) increased the City's maximum homeownership assistance payment under the Housing Trust Fund-supported MIHP program from \$15,000 to \$20,000 to be funded from currently available MIHP monies; (5) amended the HAP and MIHP programs to allow a one-time rollover of City homeownership assistance for loan recipients (excluding purchasers of set-aside units in new developments who also have HAP or MIHP loans) who sell the home that the City assisted them to buy, and immediately purchase a subsequent home within the City. In order to qualify for the rollover, loan recipients would have to be income eligible for HAP and MIHP at the time of the sale, and must have resided in the assisted home for at least five years (the

period of time required to avoid the anti-speculation surcharge imposed by the City's homeownership programs). In addition, authorized the use of MIHP funds to repay and replace a HAP loan in the event a HAP loan recipient (up to \$54,400 for a four-person household) has become a MIHP-eligible recipient (up to \$79,500 for a household of three or more persons) at the time of the rollover; (6) approved a goal of maintaining a minimum Housing Trust Fund balance of \$1.5 million, exclusive of any set-asides, in order to provide a continuing funding source for affordable housing activities; (7) agreed that the issue of increasing the standard \$0.50 per gross-square-foot developer contribution to affordable housing will be considered in the context of forthcoming efforts to establish the appropriate levels for other development fees in the context of the FY 2003 budget deliberations, which will involve discussions with the development community; (8) approved the concept of allowing flexibility in the design, location and layout of affordable units, with the understanding that this may result in affordable unit designs that differ from, but are architecturally compatible with, the market rate units. Standards for the affordable units would be determined on a case-by-case basis, and spelled out in the special use permit or site plan conditions for specific developments; (9) adopted the resolution, **as amended**, to amend the Rent Relief Program for Senior Citizens and Disabled Persons to do the following: (i) Increase the maximum income from \$18,000 to \$25,600, and keep the maximum income level equal to the maximum income, under the Tax Relief Program, for persons eligible to receive full tax exemption (up to the amount of the average real property tax bill); (ii) Increase the benefit level from \$1,500 to a sliding scale from \$1,800 to \$2,400 per year based on income, with the maximum benefit level to remain equal to the average property tax bill for the calendar year in which the budget is prepared for each year's Rent Relief program expenditures. The increased benefit level is consistent with (but not specifically mentioned in) the Task Force recommendations, and the sliding scale is a new feature; (iii) Provide monthly rather than annual payments; (iv) Have year-round open enrollment for this program; however, participation will be limited by the annual budget appropriation for the program (i.e., if the budget appropriation is fully allocated, a waiting list will be maintained); and (v) Authorized the hiring of a part-time, 10 hour-per-week, eligibility worker to administer the revised program; and (10) approved the final report of the Affordable Housing Task Force, as amended by the recommendations set out above and as discussed in the memorandum. The voting was as follows:

Euille	"aye"	Cleveland	"aye"
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Speck	"aye"
		Woodson	"aye"

City Manager Sunderland indicated that he did not think that the motion included the entire City Manager recommendation.

For clarification purposes, Mayor Donley requested a motion for reconsideration and motions to separate the recommendations from the resolution.

**WHEREUPON**, upon motion by Vice Mayor Cleveland, seconded by Councilwoman Pepper and carried unanimously, City Council reconsidered docket item no. 23. The voting was as follows:

Cleveland	"aye"	Eberwein	"aye"
Pepper	"aye"	Euille	"aye"
Donley	"aye"	Speck	"aye"
		Woodson	"aye"



**THEREUPON**, upon motion by Councilwoman Eberwein, seconded by Councilman Euille and carried on a unanimous ROLL-CALL vote, City Council approved recommendation (9) and adopted the resolution, **as amended**, to amend the Rent Relief Program for Senior Citizens and Disabled Persons to do the following: (i) Increase the maximum income from \$18,000 to \$25,600, and keep the maximum income level equal to the maximum income, under the Tax Relief Program, for persons eligible to receive full tax exemption (up to the amount of the average real property tax bill); (ii) Increase the benefit level from \$1,500 to a sliding scale from \$1,800 to \$2,400 per year based on income, with the maximum benefit level to remain equal to the average property tax bill for the calendar year in which the budget is prepared for each year's Rent Relief program expenditures. The increased benefit level is consistent with (but not specifically mentioned in) the Task Force recommendations, and the sliding scale is a new feature; (iii) Provide monthly rather than annual payments; (iv) Have year-round open enrollment for this program; however, participation will be limited by the annual budget appropriation for the program (i.e., if the budget appropriation is fully allocated, a waiting list will be maintained); and (v) Authorized the hiring of a part-time, 10 hour-per-week, eligibility worker to administer the revised program. The voting was as follows:

Eberwein	"aye"	Cleveland	"aye"
Euille	"aye"	Pepper	"aye"
Donley	"aye"	Speck	"aye"
		Woodson	"aye"

The resolution reads as follows:

#### **RESOLUTION NO. 2019**

**WHEREAS**, City Council wishes to expand the rent relief program for elderly and disabled persons to more closely match the real estate tax relief program for elderly and disabled homeowners; and

**WHEREAS**, Council believes those persons who qualify for grants under the provisions of this resolution bear an extraordinary burden of rent costs in relation to their income and net worth; and

**WHEREAS**, on November 15, 1974, the City Council adopted Resolution No. 352 which established the rent relief program for elderly citizens of Alexandria; and

**WHEREAS**, Resolution No. 352 was amended numerous times, including through various resolutions (Resolution Nos. 569, 728, and 854), during the fifteen years after its adoption; and

**WHEREAS**, City Council replaced those Resolutions with one combined Resolution No. 1391 on June 27, 1989; and

**WHEREAS**, Council deems it desirable to replace Resolution No. 1391 with a new Resolution to reflect the expansion of the rent relief program;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Alexandria, Virginia:

1. That Resolution No. 1391 adopted on June 27, 1989, is hereby repealed.

2. That the Director of Human Services, in her capacity as the constituted local board of public welfare and in accordance with the Virginia Public Welfare and Assistance Law, shall administer a rent relief program for elderly and disabled citizens of Alexandria, Virginia.

3. That said program shall be administered as follows:

A. Definitions

The following words and phrases when used in this resolution shall, for the purposes of this resolution, have the following meanings, except where the context clearly indicates a different meaning:

Director of Human Services. The Director of the City's Department of Human Services or any of its duly authorized deputies or agents.

Grant year. The fiscal year for which relief is sought. The City's fiscal year begins July 1 each year and ends on June 30 of the following year.

Permanently and totally disabled person. A person furnishing the certification or affidavit required by section 3C of this resolution and found by the Director of Human Services to be unable to engage in any substantial gainful activity by reason of a medically determinable physical or mental impairment or deformity which can be expected to result in death or can be expected to last for the duration of such person's life.

Total combined income of applicant. Gross income from all sources of the applicant and of all relatives or roommates of the applicant, including a spouse, who reside in the dwelling or portion thereof for which rent relief is sought. Exemptions to the total combined income are:

- \$6,500 of the income of any roommate or relative living with the applicant, other than the applicant's spouse, and
- \$7,500 of the income of any permanently and totally disabled person.

Total combined financial worth of applicant. All assets, including equitable interests, of the applicant and of all relatives or roommates of the applicant, including the spouse, who reside in the dwelling or portion thereof for which rent relief is sought.

B. Grants Authorized

Grants in the amounts provided in section 3D of this article are hereby authorized to applicants for rent relief, subject to the following terms and conditions:

1. The applicant shall be sixty-five years of age or older or permanently and totally disabled as of December 31 of the calendar year preceding the grant year, and shall be a resident of the City at the time of making application.
2. The applicant shall have paid rent for a dwelling or portion thereof in the City during the grant year.

3. The total combined income of the applicant shall not exceed \$25,600 for the calendar year immediately preceding the grant year.

The total combined financial worth of the applicant shall not exceed \$75,000 as of December 31 of the calendar year immediately preceding the grant year.

Any applicant under sixty-five years of age shall attach to the affidavit required by section 3C of this resolution a certification from the Social Security Administration or, if the applicant is not eligible for social security, a sworn affidavit by two medical doctors licensed to practice medicine in the Commonwealth of Virginia, to the effect that the applicant is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment or deformity which can be expected to result in death or can be expected to last for the duration of such person's life.

4. The applicant shall not be receiving Section 8 housing subsidy assistance or any other federal, state, or local housing subsidy.

#### C. Application for Grant

Annually, and not later than May 1 of the grant year, recipients shall re-file with the department of human services, in such manner as the Director of Human Services shall prescribe and on forms to be supplied by the City, an affidavit setting forth the names of any spouse or related persons occupying the dwelling or portion thereof for which rent relief is sought, their total combined income, and their total combined financial worth. If, after audit and investigation, the department of human services determines that the recipient is eligible to continue to receive a rent relief grant, they shall so certify to the finance director, who shall make payment to the applicant for the amount of the grant as determined by section 3D of this resolution.

At any time during the year a new applicant may file with the department of human services an affidavit as prescribed above. If the applicant is approved, the monthly benefit shall commence in the first month following approval. If, however, the total dollar amount of the grants for approved recipients exceeds the total amount budgeted for the program for the fiscal year, the new applicant shall be placed on a waiting list until such time as the dollar amount of approved grants drops below the budgeted amount, or City Council chooses to appropriate additional funds for the program.

If at any time during the grant year a recipient's income increases, the recipient shall immediately notify the department of human services of such change and file an amended affidavit with the department. The department of human services will then adjust or eliminate the recipient's grant effective in the month following the department's new determination of eligibility.

If at any time during the grant year a recipient moves to a new address, the recipient shall immediately notify the department of human services of such change and file an amended affidavit with the department. If the department is notified by the U.S. Post Office of a change of address for the recipient, the department shall suspend payment of the grant until such time as the applicant contacts the department and files a new affidavit for the program.

If at any time during the grant year a recipient is approved for a Section 8 housing voucher or other rent assistance, the recipient shall notify the department of human services, and the recipient's monthly benefit will cease.

D. Amount of Grant

The maximum amount of the grant shall be determined by the average annual property tax bill - rounded to the nearest \$100 - for the calendar year preceding the program fiscal year. For example, the average property tax bill for calendar year 2001 was \$2,358. Rounded to the nearest \$100, the maximum benefit becomes \$2,400 for the program year that begins on July 1, 2002, which is City fiscal year 2003. However, this amount shall be reduced in the event that the number of eligible applicants in all categories of the sliding scale is so great that total program expenditures would exceed the amount budgeted for the program during a particular fiscal year. In that event, the amount of the benefits in each category shall be reduced proportionately so that the total amount of anticipated expenditures for the program will remain within the budgeted amount.

The benefits shall be paid on a sliding scale according to the approved applicant's income. The following table shows the benefit level for the first year:

INCOME OF PARTICIPANT	MAXIMUM ANNUAL BENEFIT	% OF MAXIMUM BENEFIT	MONTHLY BENEFIT
under \$12,800	\$2,400	100%	\$200
12,801-15,000	\$2,100	87.5%	\$175
15,001-18,000	\$1,800	75%	\$150
18,001-21,000	\$1,500	62.5%	\$125
21,101-25,600	\$1,200	50%	\$100

E. Payment of grant

Grants shall be paid monthly at the beginning of each month.

- 4. That the provisions of this resolution shall prevail except where they conflict with any legal provision of higher force.
- 5. This resolution shall become effective the date of its final passage.

\* \* \* \* \*

**WHEREUPON**, upon motion by Vice Mayor Cleveland, seconded by Councilwoman Woodson and carried unanimously, City Council approved the balance of the City Manager's recommendation as follows: (1) allocated \$400,000 from the Housing Trust Fund and \$300,000 in General Fund monies, as part of a \$1 million set-aside in FY 2002, for the development of rental and sales affordable housing projects (including feasibility studies, pre-development costs, and infrastructure subsidies), with the understanding that a recommendation for an additional \$300,000 in

federal HOME monies and matching funds will be docketed for public hearing and Council consideration on March 16, after the 30-day public comment period for a HOME program amendment is satisfied; (2) allocated \$50,000 in Housing Trust Fund monies (in addition to the monies in Recommendation 1) for a Seller Incentive Fund to pay \$1,000, on behalf of homebuyers assisted under the City's Homeownership Assistance Program (HAP) and Moderate Income Homeownership Program (MIHP), toward the seller's real estate commission, to serve as an incentive to sellers to accept contracts from HAP and MIHP purchasers during periods of hot housing markets, as determined by the City Manager in consultation with the Director of Real Estate Assessments. This recommendation is designed to address the current housing market and would be implemented immediately; (3) increased the City's maximum homeownership assistance payment under the federal Community Development Block Grant (CDBG) and HOME-funded HAP program, from \$25,000 to \$35,000 per household; (4) increased the City's maximum homeownership assistance payment under the Housing Trust Fund-supported MIHP program from \$15,000 to \$20,000 to be funded from currently available MIHP monies; (5) amended the HAP and MIHP programs to allow a one-time rollover of City homeownership assistance for loan recipients (excluding purchasers of set-aside units in new developments who also have HAP or MIHP loans) who sell the home that the City assisted them to buy, and immediately purchase a subsequent home within the City. In order to qualify for the rollover, loan recipients would have to be income eligible for HAP and MIHP at the time of the sale, and must have resided in the assisted home for at least five years (the period of time required to avoid the anti-speculation surcharge imposed by the City's homeownership programs). In addition, authorized the use of MIHP funds to repay and replace a HAP loan in the event a HAP loan recipient (up to \$54,400 for a four-person household) has become a MIHP-eligible recipient (up to \$79,500 for a household of three or more persons) at the time of the rollover; (6) approved a goal of maintaining a minimum Housing Trust Fund balance of \$1.5 million, exclusive of any set-asides, in order to provide a continuing funding source for affordable housing activities; (7) agreed that the issue of increasing the standard \$0.50 per gross-square-foot developer contribution to affordable housing will be considered in the context of forthcoming efforts to establish the appropriate levels for other development fees in the context of the FY 2003 budget deliberations, which will involve discussions with the development community; (8) approved the concept of allowing flexibility in the design, location and layout of affordable units, with the understanding that this may result in affordable unit designs that differ from, but are architecturally compatible with, the market rate units. Standards for the affordable units would be determined on a case-by-case basis, and spelled out in the special use permit or site plan conditions for specific developments; and (10) approved the final report of the Affordable Housing Task Force, as amended by the recommendations set out above and as discussed in the memorandum. The voting was as follows:

Cleveland	"aye"	Eberwein	"aye"
Woodson	"aye"	Euille	"aye"
Donley	"aye"	Pepper	"aye"
	Speck	"aye"	

**OTHER**

24. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated February 20, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24; 2/26/02, and is incorporated herewith as part of this record by reference.)

Councilman Speck again noted that he will not be at the March 16, 2002 public hearing meeting because he will be out of town.

Councilwoman Woodson indicated that she will be out of town and unable to attend the March 9, "Sledge Hammer Party."

Assistant City Manager Evans indicated that staff will add the opening of the Burke Library on April 20, to the schedule.

**WHEREUPON**, upon motion by Councilman Euille, seconded by Vice Mayor Cleveland and carried unanimously, City Council received the revised calendar which includes: (a) the "Sledge Hammer Party" to start the demolition of the vacant gas station located on the City-owned property at 401 East Braddock Road, at 9:00 a.m. on Saturday, March 9; (b) the rescheduled work session with Congressman Moran to discuss federal legislative issues at 8:00 a.m. on Tuesday, March 12, in the Council Workroom; (c) the Technology Achievement Week Kickoff Reception from 6:00 p.m. to 8:00 p.m. on Monday, March 18, at the National Center for Missing and Exploited Children, 699 Prince Street; and (d) the City's Homeownership Fair from 9:30 a.m. to 1:00 p.m. on Saturday, March 23, at T.C. Williams High School. The voting was as follows:

Euille	"aye"	Eberwein	"aye"
Cleveland	"aye"	Pepper	"aye"
Donley	"aye"	Speck	"aye"
		Woodson	"aye"

**CONTESTED APPOINTMENTS**

25. Health Systems Agency of Northern Virginia  
1 Consumer Member

(The following persons volunteered for appointment to the above Agency:)

NAME	ENDORSED BY:
Linda Dwyer	
Jean Mayhan	
Laurie Silver	

\* \* \* \* \*

(Material pertaining to the above appointment is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 25; 2/26/02, and is incorporated herewith as part of this record by reference.)

Whereupon, ballots were distributed, tellers were appointed and the ballots tallied with the following result: City Council appointed Linda Dwyer as a Consumer Member to the Health Systems Agency of Northern Virginia. The voting was as follows:

Donley	-	Dwyer
Cleveland	-	Mayhan
Eberwein	-	Dwyer
Euille	-	Dwyer
Pepper	-	Dwyer
Speck	-	Mayhan
Woodson	-	Silver

\*\*\*\*\*

26. Alexandria Industrial Development Authority  
1 Citizen Member

(The following persons volunteered for appointment to the above Authority:)

NAME	ENDORSED BY:
------	--------------

Katharine Clute

Lesli Creedon

Henry Wesley

Mark Williams

\*\*\*\*\*

(Material pertaining to the above appointment is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 26; 2/26/02, and is incorporated herewith as part of this record by reference.)

Whereupon, ballots were distributed, tellers were appointed and the ballots tallied with the following result: City Council appointed Mark Williams as a Citizen Member to the Alexandria Industrial Development Authority. The voting was as follows:

Donley	-	Williams
Cleveland	-	Wesley
Eberwein	-	Williams
Euille	-	Creedon
Pepper	-	Williams
Speck	-	Williams
Woodson	-	Creedon

\*\*\*\*\*

27. Alexandria Landlord-Tenant Relations Board  
1 Landlord or Representative of a Landlord

(The following persons volunteered and were recommended for appointment to the above Board:)

NAME	ENDORSED BY:
Sean Kumar	Helene Sullivan Kumar
Joann Poladian*	Landlord-Tenant Relations Board

\* \* \* \* \*

(Material pertaining to the above appointment is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 27; 2/26/02, and is incorporated herewith as part of this record by reference.)

Whereupon, ballots were distributed, tellers were appointed and the ballots tallied with the following result: City Council reappointed Joann Poladian as a Landlord or Representative of a Landlord to the Alexandria Landlord-Tenant Relations Board. The voting was as follows:

Donley	-	Poladian
Cleveland	-	Poladian
Eberwein	-	Poladian
Euille	-	Kumar
Pepper	-	Poladian
Speck	-	Kumar
Woodson	-	Poladian

\* \* \* \* \*

**EXECUTIVE SESSION**

28. Consideration of the Convening of an Executive Session, pursuant to Section 2.2-3711(A)(3) of the Virginia Code, to discuss the acquisition of real property for a public purpose.

**WHEREUPON**, upon motion by Councilwoman Woodson, seconded by Vice Mayor Cleveland and carried unanimously, at 10:15 p.m., City Council convened in executive session at this time, pursuant to Section 2.2-3711(A)(3) of the Code of Virginia, for the purpose of considering the acquisition of real property for a public use, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the City. The voting was as follows:

Woodson	"aye"	Eberwein	"aye"
Cleveland	"aye"	Euille	"aye"
Donley	"aye"	Pepper	"aye"
		Speck	"aye"



**THEREUPON**, upon motion by Councilwoman Woodson, seconded by Vice Mayor Cleveland and carried unanimously, at 11:00 p.m., City Council reconvened the meeting. The voting was as follows:

Woodson	"aye"	Eberwein	"aye"
Cleveland	"aye"	Euille	"aye"
Donley	"aye"	Pepper	"aye"
	Speck	"aye"	

**WHEREUPON**, upon motion by Councilwoman Woodson, seconded by Vice Mayor Cleveland and carried on a unanimous ROLL-CALL vote, City Council adopted the resolution pertaining to the executive session. The voting was as follows:

Woodson	"aye"	Eberwein	"aye"
Cleveland	"aye"	Euille	"aye"
Donley	"aye"	Pepper	"aye"
	Speck	"aye"	

The resolution reads as follows:

**RESOLUTION NO. 2020**

**WHEREAS**, the Alexandria City Council has this 26th day of February 2002, recessed into executive session pursuant to a motion made and adopted in accordance with the Virginia Freedom of Information Act; and

**WHEREAS**, Section 2.2-3712 of the Code of Virginia requires a certification by the city council that such executive session was conducted in accordance with Virginia law;

**NOW, THEREFORE, BE IT RESOLVED** that the city council does hereby certify that, to the best of each member's knowledge, only public business matters that were identified in the motion by which the executive session was convened, and that are lawfully exempted by the Freedom of Information Act from the Act's open meeting requirements, were heard, discussed or considered by council during the executive session.

\* \* \* \* \*

**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilwoman Woodson, seconded by Councilwoman Eberwein and carried unanimously, at 11:05 p.m., the Regular Meeting of Tuesday, February 26, 2002, was adjourned. The voting was as follows:

Woodson	"aye"	Cleveland	"aye"
Eberwein	"aye"	Euille	"aye"
Donley	"aye"	Pepper	"aye"
	Speck	"aye"	

\* \* \* \* \*

**APPROVED BY:**

<hr/>	<hr/>
KERRY J. DONLEY	MAYOR

ATTEST:

<hr/>	<hr/>
Beverly I. Jett, CMC	City Clerk